

JOHN F. COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER



CITY COUNCIL  
ANN MORGAN LILLY, DISTRICT 1  
SUSIE BYRD, DISTRICT 2  
EMMA ACOSTA, DISTRICT 3  
CARL L. ROBINSON, DISTRICT 4  
MICHEL R. NOE, DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
CORTNEY CARLISLE NILAND, DISTRICT 8

## **AGENDA FOR REGULAR COUNCIL MEETING**

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July 10, 2012  
COUNCIL CHAMBERS, CITY HALL  
8:30 a.m.

AND

LEGISLATIVE REVIEW MEETING OF THE WHOLE  
10<sup>th</sup> FLOOR CONFERENCE ROOM  
July 9, 2012  
9:00 a.m.

NOTICE: At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

***PLEASE NOTE: If items are scheduled for the Executive Session, the Council will move to Executive Session at 12:00 p.m. (noon) for the consideration of those items, or will hear the items at the end of the agenda or as determined by the Presiding Officer, whichever occurs first.***

### **ROLL CALL**

**INVOCATION by Police Chaplain Carlos Flores**

### **PLEDGE OF ALLEGIANCE**

### **MAYOR'S PROCLAMATIONS**

1. LOWER DYER NEIGHBORHOOD REVITALIZATION STRATEGY AREA YOUTH DAY
2. EL PASO BRAIN INJURY SUPPORT GROUP DAY
3. SPACE SCIENCE DAY
4. TEXAS TATTOO SHOWDOWN FESTIVAL DAYS

### **RECOGNITION**

**UNDERAGE DRINKING INITIATIVE POSTER CONTEST**

### **CALL TO THE PUBLIC – PUBLIC COMMENT**

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at [https://www.elpasotexas.gov/muni\\_clerk/contact\\_public.asp](https://www.elpasotexas.gov/muni_clerk/contact_public.asp) for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

**NOTICE:**

Requests to speak must be received by **8:30 a.m.** on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

**NOTICE TO THE PUBLIC**

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

**CONSENT AGENDA**

**1. APPROVAL OF MINUTES:**

Approval of Minutes for the Regular City Council Meeting of July 3, 2012 and the Special City Council Meeting Minutes of June 27, 2012.

[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

**2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

**3. RESOLUTIONS:**

**3A.** A Resolution that Townsquare Live Events, LLC and Osaple, Inc. be authorized to utilize San Jacinto Plaza from 1:00 a.m. to 5:00 a.m. Saturday, August 4, 2012 and Sunday, August 5, 2012; and that the sale and service of alcoholic beverages by Townsquare Live Events, LLC and Osaple, Inc. in the closed portions of City rights-of-way on Oregon Street between Main Drive and Texas Avenue, Mills Avenue between Oregon Street and Mesa Street and Main Drive between Oregon Street and Mesa Street, and in San Jacinto Plaza from 7:00 p.m. Saturday, August 4, 2012 to 12:00 a.m. Sunday, August 5, 2012, in conjunction with the Mexican Food World Cook-Off, is a permissible activity (NESV12-00020) **(District 8)** [City Development, Mirian Spencer, (915) 541-4482]

**3B.** That the City Manager be authorized to sign the Agreement for Professional Services by and between the City of El Paso and Moreno Cardenas, Inc., a Texas Corporation, for a project known as "Barron Neighborhood Park" for an amount not to exceed \$75,523 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$125,523. **(District 4)**

[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 3C.** That the City Manager be authorized to sign the Agreement for Professional Services by and between the City of El Paso and Quantum Engineering Consultants, Inc., a Texas Corporation, for a project known as "Cheryl Ladd Neighborhood Park" for an amount not to exceed \$96,763.66 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$146,763.66. **(District 6)**  
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]
- 3D.** That the Solid Waste liens on the attachment posted with this agenda be approved. (See Attachment A) **(All Districts)**  
[Environmental Services, Ellen A. Smyth, (915) 621-6719]
- 3E.** That the City Manager be authorized to sign and submit an amendment to Department of State Health Services (DSHS) Contract No. 2012-040466 for its STD-HIV program, to change the end date to August 31, 2012 from October 1, 2012 and to reduce the amount by \$57,612 for a new total amount of \$115,224, to allow the City to conduct programs to control and prevent the spread of sexually transmitted diseases, and that the City Manager be authorized to sign any amendments thereto to extend the project for up to twelve months, to make adjustments to the contract program budget that do not change the contract amount, and to sign all related certifications. **(All Districts)**  
[Health, Michael Hill, (915) 771-5702]
- 3F.** That the City Manager be authorized to sign a Communications Site Agreement between the Texas Department of Public Safety and the City of El Paso for antenna, shelter and/or antenna space, including any wires, generator(s), equipment, etc. necessary to carry out City's operation of the radio tower ("Tower Equipment") at 11612 Scott Simpson Drive, El Paso, Texas 79936, at no cost to the City. **(All Districts)**  
[Information Technology, Miguel Gamino, (915) 541-4746]

**4. FOR NOTATION:**

- 4A.** Accept the donation of \$1,500 from Castro Enterprises for Movies in the Park in District 5. [Representative Michiel R. Noe, (915) 541-4701]
- 4B.** Accept the donation of \$1,000 from El Paso Electric for Movies in the Park in District 5. [Representative Michiel R. Noe, (915) 541-4701]

**5. APPLICATIONS FOR TAX REFUNDS:**

That the tax refunds listed on the attachment posted with this agenda be approved.  
(See Attachment B) **(All Districts)** [Tax Office, Leo Fierro, Jr., (915) 541-4369]

**REGULAR AGENDA - INTRODUCTIONS**

**6. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

**Public comment typically is not taken during the introduction of ordinances.  
Public comments are invited at the date of the scheduled public hearing.**

- 6A.** An Ordinance amending Ordinance No. 016528 to modify the boundaries of the Tax Increment Reinvestment Zone Number Five, City of El Paso, Texas to enlarge the boundaries of the existing zone to include an additional area in Downtown El Paso: Addition B Area - Union Plaza, as more fully described herein; adopting an amendment to the Final Project and Final Reinvestment Zone Financing Plans; and to amend other provisions of Ordinance No. 016528 related thereto. **(District 8)** [City Development, Mathew McElroy, (915) 541-4747]
- 6B.** An Ordinance authorizing the City Manager to sign a Contract of Sale and any other necessary documents between the City of El Paso and Roberto Sergio and Loruama Hernandez which will allow the City to convey lot 19, less the northerly 4.36 feet thereof and less the southerly 0.77 feet thereof, block 3, Hueco Mountain Village replat A, an addition to the City of El Paso, El Paso County, Texas (3699 Prairie Rose Street, El Paso, Texas), to Roberto Sergio and Loruama Hernandez. **(District 5)**  
[Community and Human Development, William Lilly, (915) 541-4241]
- 6C.** An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.94 (Regulation of Lobbying Activities), Section 2.94.090 (Restricted Activities) of the El Paso City Code to amend the type of solicitations in which persons are restricted from engaging in lobbying activities.  
**(All Districts)** [Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

**PUBLIC HEARING WILL BE HELD ON JULY 17, 2012, FOR ITEMS 6A – 6C**

- 6D.** An Ordinance granting Special Permit No. PZST12-00003, to allow for infill development with reduced lot area, reduced lot width, and reduced side setbacks on the property described as Lot 24, Block 3 of Hughes Subdivision of Lots 8 through 15, Block 2, of the Alameda Acres Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 5725 Kapilowitz Court. Property Owner: Olivia Galvez Beal. PZST12-00003 **(District 3)** [City Development, Andrew Salloum (915) 541-4633]
- 6E.** An Ordinance granting Special Permit No. PZST12-00005, to allow infill development with reduced lot area, reduced setbacks and reduced lot width on the property described as South 115 feet of Tract 210, Sunrise Acres #2, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 7601 Mt. Latona Drive. Property Owner: Daniel Alderete. PZST12-00005. **THIS IS AN APPEAL CASE (District 2)** [City Development, Michael McElroy, (915) 541-4238]
- 6F.** An Ordinance granting Special Permit No. PZST12-00004, to allow for infill development with reduced yard setbacks on the property described as Lots 1 through 4, Block 15, Sunset Heights Subdivision, An Addition to the City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Property Owner: Carlos Figueroa. Subject Property: 1207 Los Angeles Drive. PZST12-00004 **(District 8)**  
[City Development, Michael McElroy, (915) 541-4238]

- 6G.** An Ordinance amending conditions placed by Ordinance No. 06245 on Lots 11 and 12, Block 2, Sahara Subdivision, City of El Paso, El Paso County, Texas and amending conditions imposed by Ordinance No. 06245 and releasing conditions imposed by Ordinance No. 17313 on Lots 13 and 14, Block 2, Sahara Subdivision, City of El Paso, El Paso County, Texas. The Penalty is as provided for in Chapter 20.24 of the El Paso City Code. Property Owner; Juan Gandara and Laura Mendoza; Subject Property: 9950 Dyer Street. PZCR12-00002 **(District 4)** [City Development, Arturo Rubio, (915-541-4633)]

**PUBLIC HEARING WILL BE HELD ON JULY 31, 2012, FOR ITEMS 6D –6G**

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 8:30 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

**REGULAR AGENDA – OTHER BUSINESS**

**7. CITY MANAGER:**

Discussion and action on the Quarterly Update on Activities from El Paso Electric Company. El Paso Electric Representatives. **(All Districts)** [City Manager, Joyce Wilson, (915) 541-4107]

**REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS**

**8. ENGINEERING AND CONSTRUCTION MANAGEMENT:**

- 8A.** Discussion and action to award bid 2012-263R Sun Metro Maintenance Facility Lift Equipment to JAM Equipment Sales & Services, LLC, for an estimated amounts of \$1,484,109.

Department:	Engineering and Construction Management
Award to:	JAM Equipment Sales & Services LLC
Base Bid:	\$1,484,109
Total Estimated Completion:	\$1,484,109
Funding Source:	FY 2009 Certificates of Obligation
<b>District:</b>	<b>2</b>

This is a low bid, unit price contract.

The Engineering and Construction Management Department recommend award as indicated to JAM Equipment Sales & Services, LLC, the lowest, responsive, responsible bidder.

[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 8B.** Discussion and action to award of Solicitation No. 2012-208 for Fire Station #37 to Blair-Hall Company, Inc. for an estimated total amount of \$2,347,765 Blair-Hall Company, Inc. has provided the highest ranked proposal (96.24).

Department:	Engineering & Construction Management
Award to:	Blair-Hall Company, Inc

Base Bid: \$2,347,765  
 Total Estimated Completions: Substantial Completion: 180 Consecutive Calendar Days.  
 Time for Completion: 210 Consecutive Calendar Days  
 Funding Source: 2010 Certificates of Obligation  
**District: 5**

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

This is a lump-sum contract. The Engineering & Construction Management Department recommends award to the offeror who submitted the highest ranked proposal.

[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

## 9. FIRE:

- 9A.** Discussion and action on the award of Solicitation No. 2012-180 (Structural and Proximity Fire Fighting Clothing) to Bazaar Uniforms & Men's Store, Daco Fire Equipment, Dooley Tackaberry, Inc., Firefighter Tool Supply, and Freightliner, Sterling, Western Star of Arizona for an initial term estimated award of \$1,254,258.90.

Department: Fire  
 Award to: Vendor 1 Bazaar Uniforms & Men's Store  
 El Paso, TX  
 Item: 8  
 Option: 2 Years  
 Annual Estimated Award: \$ 38,600  
 Initial Term Estimated Award: \$115,800 (3 Years)  
 Total Estimated Award: \$193,000 (5 Years)

Award to: Vendor 2 Daco Fire Equipment  
 Lubbock, TX  
 Items: 6, 7, and 9  
 Option: None  
 Annual Estimated Award: \$ 41,700  
 Total Estimated Award: \$125,100 (3 Years)

Award to: Vendor 3 Dooley Tackaberry, Inc.  
 Deer Park, TX  
 Items: 3 and 4  
 Option: None  
 Annual Estimated Award: \$14,780  
 Total Estimated Award: \$44,340 (3 Years)

Award to: Vendor 4 Firefighter Tool Supply  
 Spring, TX

Items: 5, 10, 11, 12, 13, 14, and 16  
Option: None  
Annual Estimated Award: \$ 54,712.30  
Total Estimated Award: \$164,136.90 (3 Years)

Award to: Vendor 5 Freightliner, Sterling, Western Star of Arizona  
Tolleson, AZ

Items: 1 and 2  
Option: None  
Annual Estimated Award: \$268,294  
Total Estimated Award: \$804,882 (3 Years)

Total Annual Estimated Award: \$ 418,086.30  
Initial Term Estimated Award: \$1,254,258.90 (3 Years)  
Total Estimated Award: \$1,331,458.90 (5 Years)  
Account No.: 22010320 – 503123 - 01101  
62620010 – 503123 - 40101  
Funding Source: General Fund – Equipment Supplies (Small Capital)  
Airport Cost Centers - Safety Gear  
**Districts: All**

This is a low bid, unit price contract.

The Financial Services - Purchasing Division and Fire Department recommends award as indicated to Bazaar Uniforms & Men's Store, Daco Fire Equipment, Dooley Tackaberry, Inc., Firefighter Tool Supply, and Freightliner, Sterling, Western Star of Arizona the lowest responsive, responsible bidders.

[Fire, Terry Kebschull, (915) 771-1068]

[Financial Services, Bruce D. Collins, (915) 541-4313]

- 9B.** Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Air Cleaning Technologies, Inc., the sole source provider for Plymovent exhaust removal system, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

Department: Fire  
Award to: Air Cleaning Technologies, Inc.  
Broken Arrow, OK  
Total Estimated Amount: \$78,296  
Account No.: 22010320 – 503200 - 01101  
Funding Source: General Fund – Buildings-Facilities Maintenance  
Sole Source No.: 2012-278  
**Districts: All**

This is a Sole Source, unit-price contract.

[Fire, Terry Kebschull, (915) 771-1068]

[Financial Services, Bruce D. Collins, (914) 541-4313]

## **10. GENERAL SERVICES:**

Discussion and action on the award of Solicitation No. 2012-258 (City Fleet Hybrid Vehicles) to Crawford Buick GMC L.P. for a total award of \$584,817.60.

Department: General Services  
Award to: Crawford Buick GMC L.P.  
El Paso, TX  
Item: 4  
Option: 90 Days from Date of Award  
Total Award: \$584,817.60 (20 units)  
Account No.: 37150068 – 508054 – 27717  
Funding Source: General Services Department – Cars, Pickups, Vans  
**Districts: All**

This is a Best Value, unit price one-time contract.

The Financial Services - Purchasing Division and General Services recommend award as indicated to Crawford Buick GMC L.P., the bidder offering the best value bid.

[General Services, Stuart Ed, (915) 621-6822]

[Purchasing Manager, Bruce D. Collins, (915) 541-4313]

#### **11. INFORMATION TECHNOLOGY:**

Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to KRONOS, Inc., the sole source provider for the purchase of the renewal of equipment and software support and maintenance, with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

Department: Information Technology  
Award to: KRONOS, Inc.  
Irving, TX  
Total Estimated Award: \$264,950.42 (1 year)  
Account No.: 39010351 – 502202 – 01101  
Funding Source: General Fund  
Sole Source No.: 2012-255  
**Districts: All**

This is a sole source, service contract.

[Information Technology, Miguel Gamino, (915) 541-4288]

[Purchasing Manager, Bruce D. Collins, (915) 541-4313]

#### **12. INTERNATIONAL BRIDGES:**

Discussion and action on the award of Solicitation No. 2012-193 (Single Space Parking Meters) to IPS, Group, Inc. for an initial term estimated award of \$1,708,080.

Department: International Bridges  
Award to: IPS Group, Inc.  
San Diego, CA  
Items: All  
Initial Term: 5 Years  
Option: None  
Annual Estimated Award: \$1,032,720 First Year, then  
\$ 168,840 each for Years 2, 3, 4 and 5  
Initial Term Estimated Award: \$1,708,080 (5 Years)



Total Estimated Award: \$1,708,080 (5 Years)  
 Account No.: Internal Financing through the Bridges Enterprise Fund  
 Funding Source: Internal Financing through the Bridges Enterprise Fund  
**Districts: All**

This is a low bid, service contract.

That the City Council authorizes the City Manager to execute any and all documents related to this transaction, and make any necessary budget transfers necessary to implement this project. The costs will be capitalized and payment budgeted annually from parking meter revenues over a period not to exceed the life of the assets.

The Financial Services - Purchasing Division and International Bridges recommend award as indicated to IPS Group, Inc., the lowest responsive, responsible bidder, and that Duncan Parking Technologies, Inc. be disqualified as non-responsive.

[International Bridges, Said Larbi-Cherif, (915) 533-7428]

[Financial Services, Bruce D. Collins, (915) 541-4313]

POSTPONED FROM 06-26-12

### **REGULAR AGENDA – OTHER BUSINESS**

#### **13. MAYOR AND COUNCIL:**

**13A.** Discussion and action on a resolution regarding temporary procedures for the issuance of Public Service Board/El Paso Water Utilities Revenue Bonds.

**(All Districts)** [Representative Cortney Niland, (915) 541-4268]

**13B.** Update on the Ports of Entry Task Force. [Mayor John F. Cook, (915) 541-4145]

**13C.** Discussion and action to determine the location for the soccer field complex bond project.

[Representative Michiel Noe, District 5, (915) 541-4189]

[Representative Eddie Holguin, District 6, (915) 541-4178]

[Representative Steve Ortega, District 7, (915) 541-4124]

#### **14. CITY ATTORNEY'S OFFICE:**

Discussion and action on Interim Rate Adjustment Request filed by Texas Gas Service Company, a division of ONEOK, Inc., on April 2, 2012. (551.071)

[City Attorney's Office, Sylvia Borunda Firth, (915) 541-4550]

#### **15. OFFICE OF MANAGEMENT AND BUDGET:**

Discussion, action and presentation on the City Manager's FY 2013 Proposed Budget.

**(All Districts)** [City Manager, Office of Management and Budget, Lynly Leeper, (915) 541-4777]

#### **16. PARKS AND RECREATION:**

Discussion and action to approve a Resolution to name the park located at 1100 Franklin Hills, El Paso, Texas as Linda Daw Hudson Park. **(District 1)**

[Parks and Recreation, Nanette Smejkal, (915) 541-4283]

### **EXECUTIVE SESSION**

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act and the Rules of City Council.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- EX1.** *JNC Land Co., Inc vs. City of El Paso*; Cause No. 2010-4955 (551.071)  
[City Attorney's Office, Kenneth Krohn (915) 541-4550]
- EX2.** *Clear Channel Outdoor, Inc., vs. The City of El Paso*; Cause No. 2009-3939 (551.071)  
[City Attorney's Office, Kenneth Krohn (915) 541-4550]
- EX3.** Application of El Paso Electric Company to amend its Certificate of Convenience and Necessity for Five Solar Power Generation Projects, Public Utility Commission of Texas Docket No. 39973 (551.071) [City Attorney's Office, Sylvia Borunda Firth, (915) 541-4550]

### **NOTICE TO THE PUBLIC:**

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

**ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY THURSDAY AT THE ADDRESS BELOW:**

<http://www.elpasotexas.gov/>